

This listing of claims will replace all prior versions, and listings, of claims in the application.

**Listing of Claims:**

1-133. (Canceled)

134. (Currently amended) A method comprising:

transmitting a plurality of video programs to a plurality of consumer devices at respective consumer locations, wherein each said consumer device comprises a mechanism configured to recognize classification information contained in received headers, a mechanism configured to automatically select for storage video programs from the plurality of video programs having a defined level of match between classification information associated with the video programs and preference information associated with the consumer device, and an overwriting mechanism configured to automatically overwrite stored digital data content with automatically selected video programs according to one or more defined criteria; and

transmitting classification information in a header associated with [[of]] at least one some of the plurality of video programs transmitted wherein said classification information comprises descriptive information other than specific identification of the at least one of the plurality of video programs.[:]]

~~providing a mechanism to compare the classification information to preference information of a consumer location;~~

~~providing a mechanism to automatically select for storage in a storage medium at the consumer location video programs from the plurality of video programs having a defined degree of similarity between classification information and preference information; and~~

~~providing a mechanism to automatically overwrite stored digital data content with the automatically selected video programs according to a defined criteria.~~

135. (Currently amended) The method of claim 134 further comprising:

~~billing a consumer location within the plurality of consumer locations once a video program has been selected for viewing that has been previously automatically selected for storage recording based upon preference information and then recorded at the consumer location.~~

136. (Canceled)

137. (Currently amended) The method of claim 134, wherein a ~~[[the]]~~ defined ~~criteria~~ criterion is that oldest stored video programs are overwritten with ~~[[the]]~~ automatically selected video programs.

138. (Currently amended) The method of claim 134, wherein a ~~[[the]]~~ defined ~~criteria~~ criterion is that older releases of stored video programs are overwritten with ~~[[the]]~~ automatically selected video programs.

139. (Currently amended) The method of claim 134, wherein a ~~[[the]]~~ defined ~~criteria~~ criterion is that stored digital data content which least fits a preference associated with the consumer device ~~of the consumer location~~ is overwritten with ~~[[the]]~~ automatically selected video programs.

140. (Currently amended) The method of claim 134 wherein the automatically selected video programs are recorded on a removable and portable storage medium.

141. (Currently amended) The method of claim 134, further comprising: encoding the transmitted video programs with data permitting playback only on a playback device with a compatible decoder.

142. (Previously presented) The method of claim 141 further comprising: encoding the transmitted video programs with time-based code keys A.

143. (Currently amended) The method of claim 142 wherein the time-based code keys A encoded into the transmitted video programs are correlated with periodic time-based code keys ~~key codes~~ B that are blanket transmitted to the plurality of consumer devices ~~locations~~ and time-based code keys ~~codes~~ C that are provided to consumer devices ~~locations~~ ~~within the plurality of consumer locations~~ that are in good standing, wherein the playback device ~~a customer~~ can only playback ~~[[view]]~~ a video program if all three codes keys A, B and C have been received.

144. (Currently amended) The method of claim 143 further comprising:

~~receiving by a central controller system communicating video program playback~~  
information from a ~~a~~ ~~[[each]]~~ consumer ~~device location to a central controller system~~ when the time-  
based code keys ~~[[codes]]~~ C are provided.

145. (Currently amended) The method of claim 134 wherein ~~the act of~~ transmitting a plurality of video programs is carried out by direct broadcast satellite transmission on multiple channels in compressed-time format.

146. (Previously presented) A computer readable medium having computer-executable instructions stored thereon for performing the method of claim 134.

147. (Currently amended) A computer readable medium as in claim 146, further having computer-executable instructions stored thereon for billing a consumer ~~location within the plurality of consumer locations~~ once a video program has been selected for viewing that has been previously automatically selected for storage recording based upon preference information ~~and then recorded at the consumer location~~.

148. (Canceled)

149. (Currently amended) A computer readable medium as in claim 146, wherein ~~a~~ ~~[[the]]~~ defined criterion ~~criteria~~ is that oldest stored video programs are overwritten with ~~[[the]]~~ automatically selected video programs.

150. (Currently amended) A computer readable medium as in claim 146, wherein ~~a~~ ~~[[the]]~~ defined criterion ~~criteria~~ is that older releases of stored video programs are overwritten with ~~[[the]]~~ automatically selected video programs.

151. (Currently amended) A computer readable medium as in claim 146, wherein ~~a~~ ~~[[the]]~~ defined criterion ~~criteria~~ is that stored digital data content which least fits a preference associated with ~~[[of]]~~ the consumer device location ~~location~~ is overwritten with ~~[[the]]~~ automatically selected video programs.

152. (Currently amended) A computer readable medium as in claim 146, wherein ~~[[the]]~~ automatically selected video programs are recorded on a removable and portable storage medium.

153. (Currently amended) A computer readable medium as in claim 146, further having computer-executable instructions stored thereon for encoding the transmitted video programs with data permitting playback only on a playback device with a compatible decoder.

154. (Previously presented) A computer readable medium as in claim 153, further having computer-executable instructions stored thereon for encoding the transmitted video programs with time-based code keys A.

155. (Currently amended) A computer readable medium as in claim 154, wherein the time-based code keys A encoded into the transmitted video programs are correlated with periodic time-based code keys ~~key codes~~ B that are blanket transmitted to the plurality of consumer devices ~~locations~~ and time-based code keys ~~[[codes]]~~ C that are provided to consumer devices ~~locations within the plurality of consumer locations~~ that are in good standing, wherein a consumer ~~customer~~ can only view a video program if all three codes keys A, B and C have been received..

156. (Currently amended) A computer readable medium as in claim 155, further having computer-executable instructions stored thereon for receiving-communicating video program playback information from a ~~[[each]]~~ consumer device by location to a central controller system when the time-based code keys ~~[[codes]]~~ C are provided.

157. (Currently amended) A computer readable medium as in claim 146, wherein ~~[[the]]~~ ~~act of~~ transmitting a plurality of video programs is carried out by direct broadcast satellite transmission on multiple channels in compressed-time format.

158. (Currently amended) A device comprising:  
a receiving mechanism configured to receive a plurality of transmitted video programs wherein there is classification information in a header associated with ~~[[of]]~~ at least one ~~[[some]]~~ of the plurality of video programs transmitted wherein said classification information comprises descriptive information other than specific identification of the at least one of the plurality of video programs;  
a comparing mechanism configured to compare the classification information to preference information associated with the device ~~of a consumer location;~~  
a selection mechanism configured to automatically select for storage ~~in a storage medium at the consumer location~~ video programs from the plurality of transmitted video programs having a defined level of match ~~degree of similarity~~ between the classification information and the preference information; ~~[[and]]~~  
a recording ~~apparatus-mechanism~~ configured to record the automatically selected video programs based on the preference information; and  
an automatic overwriting mechanism configured to automatically overwrite stored video programs ~~digital data content~~ with the automatically selected video programs according to one or more ~~[[a]]~~ defined criteria.

159. (Currently amended) The device of claim 158 wherein the recording apparatus ~~mechanism~~ is configured to record the automatically selected video programs on a removable and portable storage medium.

160. (Currently amended) The device of claim 158 further comprising:  
a playback mechanism configured to playback ~~automatically selected~~ a video program~~[[s]]~~ upon selection for playback by a user wherein said video program has been previously automatically selected for storage; and

a billing mechanism in communication with the playback mechanism configured to transmit billing information to a central billing system accounting for each time the automatically selected video program has been selected for playback.

161. (Currently amended) The device of claim 158 further comprising:

a control mechanism in communication with the receiving mechanism configured to verify a received combination of time-based code keys for authorizing ~~playback-play-back~~ of said transmitted video programs ~~at a desired time~~, and ~~to enable-enabling~~ said playback.

162. (Currently amended) The device of claim 161 further comprising:  
a decoding mechanism in communication with the control mechanism configured to decode transmitted video programs wherein time-based code keys A that are encoded into the transmitted video programs are correlated with periodic time-based ~~code keys key-codes~~-B that are blanket transmitted to a plurality of consumer ~~devices-locations~~ and time-based code keys [[codes]] C that are provided to consumer ~~devices-locations within the plurality of consumer locations~~ that are in good standing such that a consumer can only view a video program if all three codes keys A, B and C have been received by the playback device.

163. (Currently amended) The device of claim 162 wherein the billing mechanism comprises:  
a mechanism configured to communicate an identity of said previously selected video program and a unique identifying address associated with said consumer to said central billing system in response to [[upon]] initiating ~~playback-play-back~~ of the previously selected video program; and  
a playback-enabling mechanism configured to receive from said central billing system the [[third]] time-based code key C for identifying a status of said consumer to enable said ~~playback-play-back~~ of said previously selected video program.

164. (Currently amended) The device of claim 158, further comprising ~~providing-a~~ mechanism configured to automatically overwrite stored digital data content with [[the]] automatically selected video programs according to one or more [[a]] defined criteria.

165. (Currently amended) The device of claim 164, wherein a [[the]] defined criterion-criteria is that oldest stored video programs are overwritten with [[the]] automatically selected video programs.

166. (Currently amended) The device of claim 164, wherein a ~~[[the]]~~ defined criterion ~~criteria~~ is that older releases of stored video programs are overwritten with ~~[[the]]~~ automatically selected video programs.

167. (Currently amended) The device of claim 164, wherein a ~~[[the]]~~ defined criterion ~~criteria~~ is that stored digital data content which least fits a preference associated with ~~[[of]]~~ the consumer device location ~~location~~ is overwritten with ~~[[the]]~~ automatically selected video programs.

168. (Currently amended) A method comprising:  
receiving a plurality of video programs at a consumer device location;  
receiving classification information in a header associated with ~~[[of]]~~ at least one ~~[[some]]~~ of the plurality of video programs received;  
comparing the classification information to preference information associated with ~~[[of]]~~ the consumer device location;  
automatically selecting for storage ~~in a storage medium at the consumer location~~ video programs from the plurality of video programs having a defined level of match ~~degree of similarity~~ between the classification information and the preference information; and  
automatically overwriting stored digital data content with ~~[[the]]~~ automatically selected video programs according to one or more ~~[[a]]~~ defined criteria.

169. (Currently amended) The method of claim 168 further comprising:  
receiving a bill once a video program has been selected for viewing that has been previously automatically selected for storage ~~recording~~ based upon preference information ~~and then recorded at the consumer location~~.

170. (Canceled)

171. (Currently amended) The method of claim 168, wherein a ~~[[the]]~~ defined criterion ~~criteria~~ is that oldest stored video programs are overwritten with ~~[[the]]~~ automatically selected video programs.

172. (Currently amended) The method of claim 168, wherein a ~~the~~ defined criterion ~~criteria~~ is that older releases of stored video programs are overwritten with ~~the~~ automatically selected video programs.

173. (Currently amended) The method of claim 168, wherein a ~~the~~ defined criterion ~~criteria~~ is that stored digital data content which least fits a preference associated with ~~of~~ the consumer device ~~location~~ is overwritten with ~~the~~ automatically selected video programs.

174. (Currently amended) The method of claim 168 wherein the automatically selected ~~pre-recorded~~ video program is recorded on a removable and portable storage medium.

175. (Currently amended) A system comprising:

a mechanism configured to receive a plurality of transmitted video programs at a consumer device ~~location~~;

a mechanism configured to receive classification information transmitted in a header associated with ~~of~~ at least one ~~some~~ of the plurality of video programs transmitted wherein said classification information comprises descriptive information other than specific identification of the at least one of the plurality of video programs;

a mechanism configured to compare the classification information to preference information associated with the consumer device; ~~of a consumer location~~; and

a mechanism configured to automatically select for storage ~~in a storage medium at the consumer location~~ video programs from the plurality of video programs having a defined level of match ~~degree of similarity~~ between classification information and preference information~~[,];~~

a recording apparatus operably coupled to the consumer device configured to store the automatically selected video programs; and

a mechanism configured to automatically overwrite stored digital data content with ~~the~~ automatically selected video programs according to one or more ~~a~~ defined criteria.

176. (Currently amended) The system of claim 175 further comprising:



**DOCKET NO.:** \*\*OO-0140  
**Application No.:** 09/675,025  
**Office Action Dated:** January 10, 2008

**PATENT**  
**SUBMISSION PURSUANT TO**  
**37 C.F.R. § 1.114**

a billing mechanism configured to provide information that enables a provider to bill a consumer associated with the consumer device location once a video program has been selected for viewing that has been previously automatically selected for storage-recording based upon preference information ~~and then recorded at the consumer location.~~

177. (Canceled)